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General and complete disarmament

Letter dated 1 October 2002 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General

On behalf of the Government of Colombia, in its capacity as pro tempore secretariat of the Andean Community, I have the honour to transmit to you herewith the text of the Andean Charter for Peace and Security (see annex) and to request that it be published as a document of the fifty-seventh session of the General Assembly, under agenda item 66.

(*Signed*) Alfonso **Valdivieso**
Ambassador, Permanent Representative

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Annex to the letter dated 1 October 2002 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General

Conference of Ministers for Foreign Affairs and of Defence of the Andean Community

The Ministers for Foreign Affairs and of Defence of Bolivia, Colombia, Ecuador, Peru and Venezuela,

Meeting in the city of Lima for the purpose of analysing the proposal put forward by President Alejandro Toledo to promote a common approach to security, peace and the strengthening and expansion of confidence-building measures, together with the implementation of initiatives designed to help limit foreign defence spending,

Bearing in mind the proposal to create an international humanitarian fund which, financed by savings from reduced defence spending, would, among other things, help to boost the efforts of Andean Community countries to meet their social needs,

Believing that the existence of democratic regimes in the region strengthens relations of peace, friendship, understanding and mutual cooperation among the peoples and Governments of the Andean Community,

Convinced that peace and stability are values that are strengthened by the existence of the rule of law, democracy and respect for human rights,

Conscious that economic and social development tasks, particularly the challenge of reducing poverty in our societies, are shared national objectives that require limits to be set to foreign defence spending,

Highlighting the Andean Commitment to Peace, Security and Cooperation contained in the Galápagos Declaration of 18 December 1989,

Recalling that the Andean Presidents instructed the Andean Council of Ministers for Foreign Affairs to draw up guidelines for a Community security and confidence-building policy, with a view to establishing an Andean zone of peace,

Bearing in mind that the common foreign policy involves a broad degree of political cooperation that marks the beginning of a new stage in Andean integration and that it has identified as one of its priority areas the adoption of "joint measures to promote a culture of peace and peaceful settlement of disputes, confidence-building, particularly in border areas, arms limitation and the development of new regional approaches to security",

Considering that, in the Declaration of Santa Cruz de la Sierra of 30 January 2002, the Andean Presidents welcomed the initiative of Peruvian President Alejandro Toledo to hold a Conference of Ministers for Foreign Affairs and of Defence of the Andean Community member countries, in Lima, for the purpose of examining the proposal to reduce defence spending so that more resources could be allocated to social investment and poverty alleviation, bearing in mind domestic security needs and current spending levels,

Having agreed to adopt the following:

Lima commitment

Andean Charter for peace and security and the limitation and control of foreign defence spending

I. Principles for formulating an Andean Community security policy

The member States of the Andean Community reaffirm their commitment and adherence to the purposes and principles of the Charter of the United Nations and the Charter of the Organization of American States and to the formulation of a Community policy on security and confidence-building, based on the following principles:

1. Preservation of the rule of law and democracy as the system of government;

2. Promotion and protection of human rights;

3. Application of humanitarian international law;

4. Abstention from the threat or use of force in their reciprocal relations;

5. Peaceful settlement of disputes;

6. Respect for the territorial integrity and sovereignty of each member State;

7. Non-interference in internal affairs;

8. Respect for international law and international obligations;

9. Observance of the collective security systems of the United Nations and the Organization of American States;

10. Cooperation for development;

11. Strengthening of the integration process.

II. Commitment to the formulation of an Andean Community security policy

The member States of the Andean Community agree:

1. To reaffirm their commitment to peace, security, renunciation of the threat or use of force, peaceful settlement of disputes and respect for international law;

2. To submit to the Andean Presidential Council, at its fifteenth meeting, a proposal on a common Andean security policy framed according to a democratic, non-offensive approach to external security, based on the principles established in the Charter of the United Nations and the Charter of the Organization of American States;

3. To convene, before December 2002, a series of seminars on the following thematic areas: hemispheric security from the Andean standpoint; the regional war on terrorism; military spending and security; and confidence-building measures. Both military and civilian representatives from the five member countries will participate in these seminars, the purpose of which will be to launch discussions on

aspects of fundamental importance for the formulation of an Andean Community security policy;

4. To set up a High-level Group on Security and Confidence-building, with the participation of senior foreign affairs and defence officials from the five member countries, who will be responsible for coordinating work on the formulation of a common Andean security policy. The first meeting of the group will have to be held during the first half of 2003, as a follow-up to the holding of the seminars.

III. Commitment to establish a zone of peace in the Andean Community

The member States of the Andean Community agree:

1. To establish the mechanisms and criteria for setting up a zone of peace in the Andean Community, in conformity with the agreement adopted by the Heads of State in the Act of Carabobo, as a guarantee of the peace and security which the Andean Governments undertake to ensure for their countries;

2. That the Andean Community zone of peace shall cover the area comprising the territories, airspace and waters under the sovereignty and jurisdiction of Bolivia, Colombia, Ecuador, Peru and Venezuela;

3. That, in the Andean Community zone of peace:

- The threat or use of force among member States shall be prohibited, pursuant to the applicable provisions of the Charter of the United Nations and the Charter of the Organization of American States;
- The deployment, manufacture, transport and use of nuclear, biological and chemical weapons shall be banned, in conformity with the provisions of the Treaty of Tlatelolco and the international conventions on chemical, biological and toxin weapons;
- All nuclear testing shall be banned;
- A regime shall be put in place for the gradual elimination of anti-personnel landmines, leading to their total eradication at the earliest possible date, as stipulated in the Ottawa Convention;
- The development, manufacture, possession, deployment and use of all weapons of mass destruction, as well as their transit through the countries of the subregion, shall be prohibited;
- Cooperation for development and integration shall be promoted.

4. That the Andean countries will submit draft resolutions to both the General Assembly of the United Nations and the General Assembly of the Organization of American States promoting recognition of the Andean zone of peace by the international community.

IV. Regional commitment to the war on terrorism

The member States of the Andean Community agree:

1. To step up their ongoing national efforts pursuant to the resolutions of the Security Council, in particular resolution 1373 (2001) of 28 September 2001, the provisions of the Inter-American Convention against Terrorism adopted on 3 June

2002 and the provisions of the Andean Commitment to Peace, Security and Cooperation contained in the Galápagos Declaration of 18 December 1989;

2. To take the necessary additional measures to prevent the commission of acts of terrorism, including by providing early warning to the relevant authorities through the exchange of information;

3. To continue combating transnational criminal activities, in particular those connected with terrorism, such as illicit drug trafficking, money-laundering and illegal arms trafficking.

V. Commitments to limit foreign defence spending, control of and transparency in conventional weapons

The member States of the Andean Community agree:

1. To take joint measures to promote within the region a credible and verifiable conventional arms limitation process, taking account of each country's domestic security needs and current spending levels, that will make it possible to allocate more resources to economic and social development, in keeping with the relevant principles and purposes set forth in the Charter of the Organization of American States and the Declaration of Ayacucho;

2. To prohibit and/or restrict the use of certain conventional weapons which are deemed to be excessively injurious or to have indiscriminate effects, in conformity with the regime contained in the United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980 and its additional protocols;

3. To accede to the above Convention and to its protocols, including Amended Protocol II and Protocol IV on the use of blinding laser weapons;

4. To sign and/or ratify the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosive and Other Related Materials and to make the necessary diplomatic efforts to ensure the prompt entry into force of this Convention;

5. To ensure the timely submission of annual reports on imports and exports of conventional weapons to the United Nations Register of Conventional Arms, established by resolution 46/36 L of 1991 of the United Nations General Assembly;

6. To ensure the timely submission of standardized reports containing objective information on armaments, including transparency of defence spending, in conformity with United Nations General Assembly resolutions 35/142 B of 1980, entitled "Reduction of military budgets", and 48/62 of 1994, entitled "Reduction of military budgets: transparency of military expenditures", and to exchange information directly among their respective foreign ministries, which shall inform their defence ministries accordingly;

7. To encourage all the Andean countries to ratify the Inter-American Convention on Transparency in Conventional Weapons Acquisitions, adopted by the Organization of American States in 1999;

8. To exchange annually at the Andean subregional level, in February of each year and pending the entry into force of the Organization of American States

Inter-American Convention on Transparency in Conventional Weapons Acquisitions, information on imports and exports of the following conventional weapons: tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships and missiles or missile systems;

9. To report annually to the Secretary-General of the United Nations, by 30 April of each year, their military expenditures for the previous financial year, based on available data and using the appropriate reporting instrument, in compliance with United Nations General Assembly resolution 35/142 B of 1980, entitled "Reduction of military budgets";

10. To exchange annually at the Andean subregional level information on military expenditures before its submission to the United Nations and the Organization of American States, and to coordinate and standardize such information.

VI. Commitment to ensure that Latin America is declared a zone free from beyond visual range air-to-air missiles and medium- and long-term range strategic missiles

The member States of the Andean Community agree:

To welcome the invitation extended by the Government of Peru to hold a meeting of experts in Lima in September 2002 to start consultations with a view to the establishment in Latin America of a zone free from beyond visual range air-to-air missiles and medium- and long-range strategic missile systems.

VII. Commitments to consolidate the ban on nuclear, chemical and biological weapons

The member States of the Andean Community reiterate their commitments:

1. To use the nuclear material and facilities under their jurisdiction exclusively for peaceful purposes and to comply scrupulously with the Treaty of Tlatelolco and its protocols;

2. To demand, pursuant to the agreement set out in the Final Document of the Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, held in Durban, South Africa, in April 2002, that nuclear-weapon countries provide timely notification to the Governments of Andean countries of the transport of any nuclear material or waste off their coastlines. In this connection, the Andean Community countries will continue to apply the International Atomic Energy Agency Regulations for the Safe Transport of Radioactive Material;

3. To prohibit in their respective territories the manufacture, reception and transit of fissile material and to refuse to accept any transfer of nuclear weapons or other explosive nuclear devices, either directly or indirectly;

4. To coordinate their positions in the General Assembly of the United Nations, the Conference on Disarmament and the Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, so as to boost the effectiveness of the nuclear non-proliferation regime;

5. Not to develop, produce, acquire, stockpile, retain or use biological and toxin weapons under any circumstances, in keeping with the Convention on the

Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 1972;

6. To ensure the concerted application in the Andean subregion of the confidence-building measures established at the Third Review Conference of the Convention on Bacteriological (Biological) and Toxin Weapons and to coordinate the submission of the corresponding declaration forms;

7. Not to develop, use, produce, otherwise acquire, stockpile or retain chemical weapons or transfer such weapons to any recipient whatsoever, directly or indirectly, in conformity with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993;

8. To facilitate the fullest possible exchange, among their competent national agencies, of chemical substances and scientific and technical equipment and information relating to the development and application of chemistry for purposes not prohibited by the respective conventions;

9. To ensure the timely submission of the annual declarations on relevant chemicals and facilities to the Organization for the Prohibition of Chemical Weapons and, at the same time, to send copies of these declarations to the member States of the Andean Community through their respective foreign ministries.

VIII. Commitments to eradicate the illicit traffic in firearms, ammunition, explosives and other related materials

The member States of the Andean Community agree:

1. To take urgent measures to combat the illicit traffic in firearms, ammunition, explosives and other related materials, given their association with the worldwide problem of illicit drugs, terrorism, transnational organized crime, mercenary activities and other criminal conduct and because they directly affect the security of citizens, aggravate internal conflicts and hinder peace processes;

2. Also to adopt urgent measures to combat the illicit traffic in firearms intended to undermine the democratic institutional order of States;

3. To establish an Andean working group to develop a plan of action and follow-up to specific bilateral and subregional cooperation projects intended to combat and eradicate the illicit traffic in firearms;

4. To apply as soon as possible the recommendations contained in the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects of 2001, in particular the recommendations for the region.

IX. Commitments to the eradication of anti-personnel landmines

The member States of the Andean Community agree:

1. To reaffirm their commitment not to use, develop, produce, acquire, stockpile, retain or transfer anti-personnel landmines, directly or indirectly, under any circumstances;

2. To destroy or ensure the destruction of all stockpiled anti-personnel landmines within four years after the date on which the Ottawa Convention entered into force for each State party, with the exception of those that are retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques;

3. To apply or to continue to implement national, binational or multilateral programmes to speed up the destruction of anti-personnel mines that have been emplaced, so that these are destroyed in accordance with the timetables established in the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction of 1997;

4. To establish national programmes for the care and social and economic integration of mine victims, as well as for prevention and awareness-raising on the dangers of anti-personnel mines;

5. Strongly to urge other countries of the region that possess anti-personnel mines or in whose territory they have been laid to destroy them as soon as possible;

6. To issue an urgent appeal to groups operating outside the law to comply with the provisions of international humanitarian law in this area.

X. Commitments to expand and strengthen confidence-building measures

The member States of the Andean Community agree:

1. To continue to apply and to strengthen confidence-building measures, principally those which involve:

(a) Concluding agreements on the prior notification of military exercises;

(b) Establishing mutual confidence or security zones in border areas, where appropriate, adjusting the number and strength of military units and posts, with due consideration for each country's domestic security and development needs;

(c) Promoting the preparation and exchange of information on defence policy and doctrine;

(d) Inviting observers to attend military exercises, visit military facilities and watch routine operations and exchanging civilian and military personnel for basic, advanced and further training;

(e) Holding meetings and taking steps to prevent incidents and increase the safety of land, sea, river, lake and air transport;

(f) Developing natural disaster prevention and cooperation programmes, at the request and with the authorization of affected States;

(g) Conducting seminars, extension courses and studies on mutual confidence-building and security measures, and developing confidence-building policies with the participation of civilian and military personnel;

(h) Conducting peace education and culture of peace programmes and programmes for the promotion and protection of human rights;

(i) Fostering cooperation among Andean legislators on confidence-building measures and issues relating to subregional peace and security, including holding

meetings, exchanging visits and organizing an Andean meeting of parliamentarians on common security matters;

(j) Opening seminars, courses and studies on confidence-building and security measures, disarmament and other issues connected with Andean peace and security to diplomatic training institutes, military academies, research centres and universities, with the participation in those activities of government, civilian and military officials, as well as representatives of civil society;

(k) Promoting, at the bilateral level, rounds of talks between military high commands, exchanges of information and intelligence and mechanisms for verifying border incidents.

XI. Follow-up and verification mechanisms

The member States of the Andean Community agree:

1. To hold periodic meetings of the Andean Council of Ministers for Foreign Affairs, jointly with the Ministers for Defence of the Community, with a view to promoting dialogue and agreement on common security and confidence-building policies;

2. To convene twice yearly a meeting of the High-level Group on Security and Confidence-building as the executive organ of this Community policy;

3. To instruct the General Secretariat of the Andean Community to establish, as soon as possible, a unit responsible for the follow-up and effective verification of the foreign policy measures agreed to in this Lima Commitment.

17 June 2002

(*Signed*) Alberto **Zelada Castedo**
Acting Minister for Foreign Affairs and Worship of Bolivia

(*Signed*) Oscar **Guiliarte**
Minister of Defence of Bolivia

(*Signed*) Guillermo **Fernández de Soto**
Minister for Foreign Affairs of Colombia

(*Signed*) Gustavo **Bell Lemus**
Vice-President of the Republic and Minister of Defence of Colombia

(*Signed*) Heinz **Moeller Freile**
Minister for Foreign Affairs of Ecuador

(*Signed*) Hugo **Unda**
Minister of Defence of Ecuador

(*Signed*) Diego **García-Sayán Larrabure**
Minister for Foreign Affairs of Peru

(*Signed*) Aurelio **Loret de Mola**
Minister of Defence of Peru

(*Signed*) Roy **Chaderton Matos**
Minister for Foreign Affairs of Venezuela

(*Signed*) Carlos **Martínez Méndez**
Permanent Secretary of the National Defence Council of Venezuela

Appeal to the international community with regard to the Lima Commitment

Aware that the present Andean Charter embodies the basic principles on security and peace that are shared as common aspirations by the hemispheric and international communities, the Ministers for Foreign Affairs and Defence of the Andean Community invite and urge all Governments of friendly countries to accede to this Charter freely and in a morally binding manner. To that end, the Ministers for Foreign Affairs of the Andean countries will promote such accessions through their embassies and will also request the Secretary-General of the United Nations to ensure the universal dissemination of the Charter, with a view to attaining the noble aims which it pursues. Accessions by members of the international community will be communicated to the Government of Peru, which will inform the other Community Governments accordingly.

This appeal forms an integral part of the Lima Commitment.

(*Signed*) Alberto **Zelada Castedo**
Acting Minister for Foreign Affairs and Worship of Bolivia

(*Signed*) Oscar **Guiliarte**
Minister of Defence of Bolivia

(*Signed*) Guillermo **Fernández de Soto**
Minister for Foreign Affairs of Colombia

(*Signed*) Gustavo **Bell Lemus**
Vice-President of the Republic and Minister of Defence of Colombia

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Minister for Foreign Affairs of Ecuador

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Minister for Foreign Affairs of Peru

(*Signed*) Aurelio **Loret de Mola**
Minister of Defence of Peru

(*Signed*) Roy **Chaderton Matos**
Minister for Foreign Affairs of Venezuela

(*Signed*) Carlos **Martínez Méndez**
Permanent Secretary of the National Defence Council of Venezuela